

SDMS US EPA REGION V -1

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Larsen
MARINE SERVICE

100-00112
↓ FULL SERVICE MARINA
↓ YACHT BROKERAGE
↓ SHIPS STORE
↓ IN-OUT DRY STORAGE

142823

DEALERS FOR QUALITY • SAIL YACHTS • CRUISERS • STERN DRIVE BOATS

COMMENTS BY JERRY LARSEN

AT EPA PUBLIC HEARING - OCTOBER 18, 1988

Good Evening ladies and gentlemen. My name is Jerry Larsen. I am a co-owner, together with my brother, of Larsen Marine. Our facility is located across Sea Horse Drive from the headquarters of OMC and directly on slip #3 of Waukegan Harbor.

Our company is a family-owned business that has been serving the boaters of Waukegan Harbor since 1933. We employ approximately 50 people and provide service for roughly 1500 boaters in any given summer. The services we provide, -- repair, storage, and marine supplies, -- are an important if not essential, complement to the Waukegan municipal marina.

We would like to commend the US EPA, Outboard Marine, the Illinois EPA and the other involved parties for the plan they have described here tonight. Not only have they developed a plan for removing or containing most all of the PCBs, but they have scheduled it in such a way that there will be a minimum inconvenience to the boaters who use the harbor and need our services.

As businessmen and employers in Waukegan, we cannot stress enough the importance of the successful completion of this project. Building of the new slip and the timing of the harbor work during the winter months is important to minimize the disruption to our business and others that use the north area of the harbor. This plan not only allows us to maintain our business and the services we provide, but also will allow us to create a better facility able to serve more boaters in the years ahead. I think that fits well with the desire of the City of Waukegan and the Waukegan Port District to make the Waukegan Harbor area a mecca for boating enthusiasts.

We know better than anyone that some of the proposed remedies to the PCB issue could have put Larsen Marine out of business. We thank you and the other parties involved for working together to come up with a sensible remedy that solves the PCB problem without harm to others. We look forward to the day when this whole subject is behind us.

Thank you.

Jerry Larsen

Rec'd 10/18/88

STATEMENT OF LAURIN M. BAKER
DIRECTOR OF PUBLIC AFFAIRS
ON BEHALF OF OUTBOARD MARINE CORPORATION
EPA PUBLIC MEETING ON PROPOSED CONSENT DECREE
WAUKEGAN HARBOR
OCTOBER 18, 1988

My name is Laurin Baker, and I am director of public affairs for Outboard Marine Corporation, here in Waukegan. On behalf of OMC, I would like to make a few remarks concerning the proposed plan for the Waukegan Harbor that the USEPA has explained this evening.

We have stated repeatedly during the past several years that we were in favor of resolving the Waukegan Harbor issue if it could be done in an environmentally sound, cost-effective manner with as little disruption to OMC and the surrounding community as possible. The settlement meets those criteria, and we support its implementation.

A brief history of this issue is important to understanding why we support this proposal, when we have resisted previous proposals regarding Waukegan Harbor.

OMC and its predecessor, the Johnson Motors Company, have built outboard motors and other products and component parts of those products here in Waukegan since the 1930s. Today, we maintain our world headquarters here, as well as our worldwide marine engineering and testing operations, the marketing staff for

our marine power products division, and a die casting facility that supplies precision castings for many of our manufacturing operations throughout the world. We employ approximately 1650 people in the Waukegan area.

Die casting is an essential element in the manufacture of marine engines. It involves the creation of a precision metal part--a cylinder head, for example--by pouring molten metal into a mold, or die. The machinery is operated hydraulically.

In the 1950s, in an effort to reduce the risk of fire and the resulting injuries to employees, as well as the potential for destruction of a critical manufacturing operations, OMC sought to utilize fire resistant hydraulic fluids in the die casting operations. Beginning in about 1960, we purchased such a fluid from the Monsanto Company under the name "Pydraul A200." That fluid was found to be the most fire-resistant on the market, and was used from 1960 until the early 1970s, even though it was significantly more expensive than other hydraulic fluids.

During the time of our usage of Pydraul A200, our facilities were inspected by governmental agencies several times, and found to be in compliance with all applicable laws and regulations.

In February of 1976, however, we were told by the state environmental protection agency that PCBs had been found in the discharges from the die casting plant. We investigated the situation and found that small amounts of PCBs were still present in our discharges, apparently residuals from the period of usage of Pydraul. We immediately developed and implemented a plan, approved by the USEPA, sealing off all outfalls from our die casting operations. In addition, we developed a closed-loop system for our new die casting facility that was recognized in 1985 by USEPA as the only facility of its type to achieve the clean water act goal of no discharge of pollutants to the environment.

In August of 1976, USEPA advised OMC that the sediments of certain portions of Waukegan Harbor and a drainage ditch north of the die cast facility contained PCBs, and that USEPA believed the sediments had been damaged by PCBs, which they believed had come from our die casting operation.

We met with both the USEPA and the Illinois EPA following this notification, and a number of investigations were performed aimed at determining what action, if any, was appropriate.

As a result of these investigations, experts and personnel of the two agencies involved at that time concluded that:

--The PCBs in the sediments did not represent an immediate

health hazard and neither agency was prepared to identify any remedy that they believed was environmentally sound and cost-effective.

In addition, most of the experts consulted believed:

--any dredging of the sediments in Slip #3 would likely release substantially more PCBs to Lake Michigan than no action; and

--The best action might be no action.

After several years of discussions and failure to reach agreement regarding what action, if any, should be taken, litigation began in 1978, and continued until 1985. During that time we investigated this issue thoroughly, including taking approximately 100 statements from government officials, OMC employees, and various experts and consultants to both the government and OMC.

While those experts did not agree on all of the issues, they agreed on one: Not one of them was willing to state that the PCBs in Waukegan Harbor posed any immediate hazard to the public.

These facts are significant because they illustrate why OMC resisted earlier efforts to remove the PCBs from the Harbor. WE BELIEVED THEN, AND WE BELIEVE NOW, THAT THEIR PRESENCE, ALTHOUGH UNFORTUNATE, POSED NO SIGNIFICANT RISK TO THE CITIZENS OF WAUKEGAN OR THE ENVIRONMENT. In fact, as the scientific community has learned more about PCBs, it has become increasingly clear that while they have properties which call for judicious handling and disposal, they have not caused the significant health and environmental consequences predicted by some.

Regardless, after 10 years of dispute, litigation and expense, OMC concluded in the late summer of 1986 that a resolution of this issue was best for all parties--the citizens of Waukegan, the various environmental agencies, the businesses in and around the Harbor, and the employees and shareholders of OMC. Accordingly, we initiated discussions with USEPA in September of 1986 to see if an environmentally sound, cost-effective, non-disruptive solution could be found.

In the two years since those initial discussions, we have met exhaustively with the agencies involved, and a number of difficult legal and technical issues were discussed and ironed out.

We have now resolved all the issues necessary to implement the proposed plan that has been explained here tonight. Those activities can be implemented without substantial interference with the present business and recreational activities in and around the Harbor, or the proposed future development.

The consent decree, signed by OMC and all the governmental bodies mentioned earlier, calls for OMC to pay approximately \$20 million in damages to a Trust Fund, which will pay for implementation of the work required by the decree. The Trustee of that fund will see that the work is performed, and USEPA and IEPA will oversee the performance of the work.

In summary, OMC has agreed to pay damages to fund a resource restoration of sediments containing PCBs in Waukegan Harbor, which are there because of our use of a fire-resistant, safety-based hydraulic fluid which we purchased and used in compliance with applicable laws and regulations.

We did not know of any potential harm to the public or the environment posed by our use of this material, and we know of no evidence today which indicates that there has been any harm to public health.

Regardless, we have determined that a final resolution of this matter is in the best interests of all concerned--the citizens of Waukegan, the various environmental agencies, the businesses in and around the harbor, and the employees and shareholders of OMC.

Larsen Marine, whose usage of Slip #3 has made them particularly concerned about the nature of any proposed remedy, is in favor of this proposal. In fact, they will have new and improved facilities as a result of this action, which is designed to allow the continued operation of Larsen as well as continued use of the Harbor by boaters. It is our understanding that the Mayor and the Waukegan Port District also support this action.

As a result of this settlement, we hope that any negative public perception of Waukegan Harbor will be removed. The action will increase the public's opportunities to use the Harbor for boating and other forms of recreation; improve the potential for future development; and create minimum disruption to OMC and other businesses in this area.

In closing, we recommend that the proposed plan be implemented as soon as possible, and we urge everyone interested in the future of Waukegan and the potential development of the Harbor to support this proposal.

Thank you.



Rec'd
10/18/88

Waukegan Port District • Waukegan Regional Airport Port of Waukegan

Statement by the Waukegan Port District in support of the
E.P.A.'s proposed agreement to remove the P.C.B.'s from
Waukegan Harbor - October 18, 1988.

The Consent Decree signed by the United States, the State of Illinois, and Outboard Marine Corporation sets forth the remedial action to be undertaken for the removal of P.C.B.'s from Waukegan Harbor.

The proposed remedy is supported by the Waukegan Port District Board as the best alternative for Waukegan Harbor. It is the least disruptive alternative, since the harbor will remain open to boaters without restricting access to the harbor facilities.

Dredging, a major activity involved in the clean-up, will be accomplished in the upper harbor in the non-boating season.

The remedy proposed will not affect the future development of the water-front, nor should it pose an undue hazard to our lakefront fishermen.

In resolving these issues, the proposed clean-up will remove the P.C.B.'s, the stigma that arises from time to time when P.C.B.'s are discussed and finally, the Port District, Outboard Marine Corporation, and the associated industries in the harbor will be able to get on with their business.



WAUKEGAN/LAKE COUNTY
Chamber of Commerce

414 North Sheridan Rd. / Waukegan, Illinois 60085-4096 / (312) 249-3800

rec'd
6/10/04

COMMENTS BY CHARLES ISELY III

Thank you ladies and gentlemen of the panel, my name is Charles Isely III, I am President of the Waukegan/Lake County Chamber of Commerce. We represent over 650 business and professional firms in the Waukegan/Lake County area. We are a voluntary employer association that is nationally accredited serving businesses in Lake County and whose mission is to maintain and expand the economic environment of our area in order to provide jobs and prosperity for local residents.

As the principal spokesman for the Chamber, I wish to congratulate you ladies and gentlemen, together with your colleagues at the state level, and the people representing OMC for developing the plan you described to us here tonight.

It is my understanding that federal law charges you to come up with solutions to problems that are not only environmentally sound, but as cost-effective and as minimally disruptive to surrounding businesses as possible. That seems to me to be just what you have done in this plan.

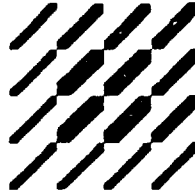


When this harbor clean-up issue first came to light a number of years ago, the chamber members realized that it could be accomplished in as many ways as there are people with opinions. Some of those ways could have been minimally expensive yet little more than eyewash environmentally. Other ways could have been extremist to the point of driving businesses out of the area due to procedures and costs which would best be described as overkill.

Like most good plans, this appears to be somewhere between the two unacceptable extremes. The harbor gets cleaned, our citizens have full access to the beach front and the Harbor, Larsen Marine and other businesses along the Harbor continue operating with only minimal inconvenience, the taxpayers do not get hit with a big bill, and the 1700 jobs at OMC are not put in jeopardy. It sounds to me as though you lived up to your charge.

Our members in the Waukegan/Lake County area are proud of the beauty around us and in the way that we have grown. The continued development of the great potential inherent in the harbor area is an integral part of our plans for the future. This plan you have developed will allow us to put the subject of PCBs behind us, and let us concentrate on the harbor as an area for jobs, recreation, and a part of the quality of life here in Lake County.

On behalf of the Waukegan/Lake County Chamber of Commerce, I urge you to move forward as quickly as practical to implement the proposed remedy explained here tonight.



NORMAN DRUMMOND AND ASSOCIATES CITY PLANNERS 932 NORTH COUNTY STREET WAUKEGAN, ILLINOIS 60085 312-623-0573

October 26, 1988

rec'd 10/28/88

John Perrecone 5PA
Office of Public Affairs
U.S. EPA Region 5
230 South Dearborn Street
Chicago, IL 60604

Dear Sir:

The 1988 proposed remedy to the so called problem of PCB's in Waukegan harbor is superior to your 1984 ROD. I, as a boater and a resident of Waukegan, support and urge it's implementation. My main concern is that the issue be put to rest. As I'm sure you are aware, this issue has had a negative impact on the development of the harbor and the City. We would all like to be assured that in the future Federal funding applications for civic improvements will not be burdened with the PCB issue.

Yours very truly,

Norman Drummond, AICP

NDdz

The Papers of
Pioneer Press

1232 Central Avenue
Wilmette, Illinois 60091
(312) 251-4300

Rec'd 10/18

October 18, 1988

John Perrecone 5PA
Office of Public Affairs
US EPA Region 5
230 S. Dearborn St.
Chicago, IL 60604

Dear Mr. Perrecone:

As a boater who use Waukegan Harbor and the Larsen Marine Service facilities, I wholeheartedly endorse the current plans to finally deal with the PCB problem.

I have reviewed the proposal and the differences between the current plan and the 1984 version. I was impressed with commitment to extend the cleanup to "hotspots" exceeding 500 ppm, the on-site containment and treatment plan, and the relocation of the fine Larsen Marine Service.

While I realize the program will create some inconveniences for me as a Larsen customer, the longterm benefits to lake users, the community and anyone who values the environment will far outweigh the negatives.

Lets get on with it!

Sincerely,



Andrew B. Davis
1318 Greenwood Street
Evanston, IL 60201

FRED C BURGHARDT AIA ARCHITECT LTD

1114 MADISON ST. OAK PARK, IL 60302

312/848 9330

Rec'd
12/18

October 18, 1988

Mr. Jon Perrecone SPA
Office of Public Affairs
U. S. EPA Region 5
230 South Dearborn Street
Chicago, IL 60604

Subject: Outboard Marine Corporation/Waukegan Harbor Site

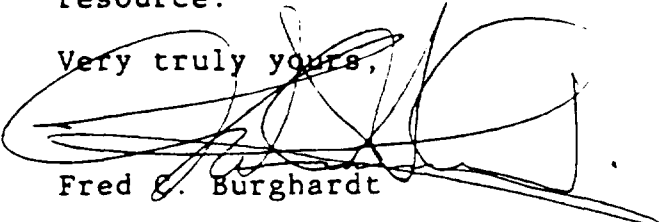
Dear Mr. Perrecone:

Please accept this letter as my enthusiastic endorsement of the 1988 Consent Decree for PCB contamination clean-up of the subject site.

Larsen Marine Service has been kind enough to send an explanation of the differences of the 1988 Consent Decree and the 1984 ROD.

I am in full accord with the 1988 program and I encourage and support its implementation. I believe the endeavor is well worth the effort for restoration of this fine harbor area and natural resource.

Very truly yours,



Fred C. Burghardt

cc: Larsen Marine Service

SMITH ASSOCIATES

1320 White Mountain Drive

• Northbrook, Illinois 60062 •

312 480-7200

Rec'd 10/18

10/19/88

Mr. John Perrecone 5PA
Office of Public Affairs
U.S. EPA Region 5
230 South Dearborn St.
Chicago, Il. 60604

Subject: Outboard Marine Corporation/Waukegan Harbor Site

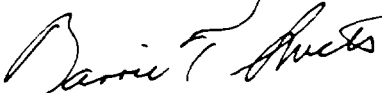
Dear Mr. Perrecone:

This letter is in **support of the above consent decree.**

The program serves two purposes:

1. Clean up of Waukegan Harbor and removal of health hazards.
2. Another important signal to everyone that pollution of the Great Lakes will not be tolerated and clean up will proceed.

Yours truly,



Barrie T. Smith
President

cc: Messrs. Jerry & Ken Larsen
Larsen Marine
625 Sea Horse Drive
Waukegan
Ill. 60085

bts/hd



Rec'd 10/21

Please reply to:

**1450 Woodhill Dr.
Northbrook, IL 60062
Phone (312)-272-2130**

Mr John Perrecon EPA

% Ramada Inn Waukegan

Re: 1988 Harbor Clean-up agreement

Dear Mr Perrecon

As an active and continuing slip holder and boater, since 1959, in Waukegan Harbor; and as a Past Commodore of the Waukegan Yacht Club (1971), I applaud the cooperation and settlement you have reached with OMC and Larsen Marine.

We have been very concerned that previous solutions seemed to be a "throw the baby out with the dirty bath water" approach. It seems to recognize that clean water and a reasonable attitude can and does yield progress.

We are extremely pleased that 29 years of very enjoyable boating in Waukegan, will be allowed to continue. Thank you!

Sincerely Yours

Chas. S. Moyer Jr
Owner, skipper "Why Not"
Slip S9-16

cc Larsen Marine
OMC

MICHAEL V. OSTROWSKI, Ed.D.
CLINICAL PSYCHOLOGIST
1878 BIG BEND DRIVE
DES PLAINES, ILLINOIS 60016
TELEPHONE: (312) 297-3838

Rec'd
10/21

October 19, 1988

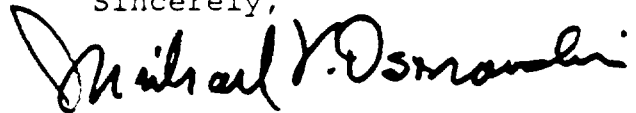
Mr. John Perrecone 5PA
Office of Public Affairs
U.S. EPA Region 5
230 South Dearborn Street
Chicago, Illinois 60604

Dear Mr. Perrecone:

We regularly use our fishing trawler on Lake Michigan and have always been concerned about the PCB levels at Waukegan. We are very pleased that at last the 1988 Consent Decree has been worked out. We store our boat at Larson Marine and use their facilities; we are happy to note the new proposed settlement for contamination, and the new slip to be constructed for Larson Marine.

We hope that the EPA will move ahead with this project rapidly - we are totally in favor of the new plan.

Sincerely,



Michael V. Ostrowski

MVO:hn

Rec'd
10/24

billington, fox & ellis, inc.

October 21, 1988

Mr. John Perrecone SPA
Office of Public Affairs
U.S. EPA Region 5
230 South Dearborn Street
Chicago, Illinois 60604

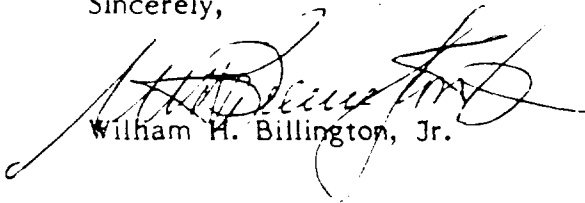
Dear Mr. Perrecone:

I am a riparian property owner in Lake Forest and also use Waukegan harbor for pleasure boating. Unfortunately, the public meeting notice on October 18 conflicted with an unbreakable business meeting, but I did want to comment on the OMC contamination clean-up and, in particular, the effect on Larsen Marine where I have keep my power boat during the wintertime as well as using their maintenance facilities.

We basically have a beautiful and under-utilized lake. The lack of boating use appears to be directly related to the shortage of mooring and storage facilities, and Larsen Marine is a major supplier of both to the boating public. In 1984, the proposal to close slip three could have eliminated this firm, or at a minimum, created a substantial reduction in available facilities. Your 1988 proposal, which Larsen and OMC also participated in preparing, is one that I fully support and I wish to add my endorsement and support to this proposed remedy.

Thank you for the opportunity to comment on this proposal. I am delighted both that a far more effective (cost and safety) method has been proposed to eliminate the contamination problem and that Larsen Marine is permitted to continue their relationship with the boating community.

Sincerely,


William H. Billington, Jr.

WHB:ft

HENRY HAVEN RICH
1621 MEADOW LANE
GLENVIEW, ILLINOIS 60025

Rec'd
10/16

13 October 1988

John Perricone, EPA
Office of Publ. Affairs
U.S. EPA Region 5

Dear Mr. Perricone:

For 35 years of my 70 years to date
I've been sailing out of Waukegan Harbor
from my wife mooring & have had the
Larsens from M.I. to the present
store & launch my various boats.

I am most happy to add my voice in
~~the~~ support of the equitable & fair proposal
to clean up the harbor (we've lived long
enough with our terrible publicity) and to
provide Larsen with a ship to keep all
the sailors & power boat people happy.

Congratulations to you and your fine
staff in resolving this most difficult
problem in a just and sensible manner.

Best regards,

Henry H. Rich

RICHARD M. WITHROW
822 DUNDEE AVENUE
BARRINGTON, ILLINOIS 60010

Rec'd 10/19

Oct 16 '88

John Perricone SPA
Office of Public Affairs
U.S. EPA Region 5
230 So. Dearborn St.
Chicago IL 60606

Gentlemen:

I have reviewed the proposed clean up plan for Waukegan Harbor and as a boat owner and user of the Harbor for recreation I strongly approve its adoption.

Despite expected inconveniences I feel it will be of great benefit to the entire community and it is apparently acceptable to the major parties involved.

I heartily approve its speedy implementation.

Yours sincerely,
Richard M. Withrow

Rec'd
Oct 18



HARRIS
BANK
WINNETKA, IL

October 17, 1958

Dear Mr. Persons

As a recreational boater who uses Waubesa Harbor as my "Home Port," both during summer months and winter storage at Tassen Marine, I and my family have closely followed your plans for clean up of the contamination.

We support and laud your most recent remedy to dredge and close slip 3 and relocate Tassen Marine. We realize this plan may result in some inconvenience for us as customers of Tassen and tenants of slips. But the clean up will benefit us all as users of the Waubesa Lakefront.

Sincerely

Robert Burchmore
noted by slip 14-8-12



From the desk of

PETE KOUKOS

447 HAZEL

HIGHLAND PARK IL 60035

312/433-0759

10/17/88

*Rec'd
10/16*

TO: MR JOHN PERREONE

RE: OMC/WAUKEGAN HARBOR SITE CLEANUP

As I am unable to attend your hearing on 10/18/88, I wish to go record as favoring the latest proposal and/or agreement reached by EPA and OMC with respect to cleaning up the PCBs in the Waukegan Harbor.

The 1988 proposed remedy seems to be more appropriate to the conditions that exist.

I trust that the proposed plan will be implemented so as to cause the least amount of disruption on the PCBs and the ongoing uses of the Harbor by both commercial and recreational users.



CAI

Natural Resources
Defense Council122 East 42nd Street
New York, New York 10168
212 949-004911/10/88
rec'd
KRM

November 1, 1988

BY CERTIFIED MAILBasil G. Constantelos
U.S. Environmental Protection Agency,
Region V
230 South Dearborn Street
Chicago, Illinois 60604

Mail Code 5HS12

RECEIVED
NOV 07 1988U.S. EPA, REGION V
WASTE MANAGEMENT DIVISION
OFFICE OF THE DIRECTORRe: United States v. Outboard Marine Corporation
Civil Action No. 88 C (N.D. Illinois)

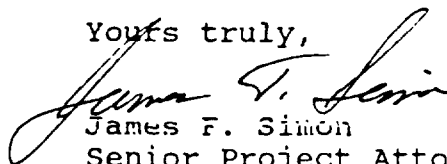
Dear Mr. Constantelos:

I write with respect to the 30-day comment period on the proposed consent decree in the above-referenced case.

On behalf of Natural Resources Defense Council, Inc., I would like to request that the Environmental Protection Agency extend the 30-day comment period provided by EPA's regulations by an additional 30 days. The extension is necessary because of the complexity of the consent decree and the associated record, which NRDC must review to formulate its comments.

Please let me know if you have any question about this request.

Yours truly,


James F. Simon
Senior Project Attorney

JFS/kr

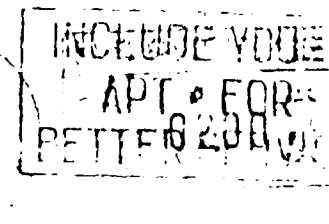
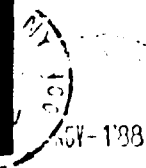
cc: Victor Franklin, Esq.
(Mail Code 5CS-TUB-3)



*Natural Resources
Defense Council*

122 East 42nd Street
New York, New York 10168

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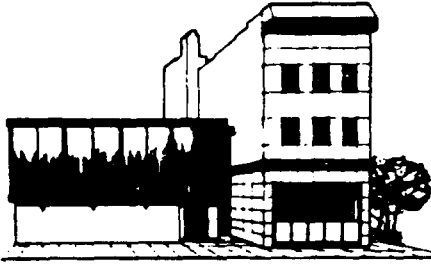


Basil G. Constantelos
U.S. Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, IL 60604

MAIL CODE 5HS12

H





Rec'd
10/21

M A D I S O N A V E N U E

October 19, 1988

Mr. John Perrecone 5-PA
Office of Public Affairs
U.S. EPS Region V
230 S. Dearborn
Chicago, Illinois 60604

Dear Mr. Perrecone:

On Tuesday October 18, 1988 I attended the Public Open Forum on the Waukegan Harbor clean-up of PCB's. I came away with a new perspective on the situation in that while PCB's in concentration are very harmful, the level of PCB's dumping into the lake is probably minimal. I still feel that there is much potential danger and there is a definite need to clean up the areas that are there but I'm not totally convinced that the danger is as great as we have been led to believe.

My concern then, is not whether or not we should do the costly clean-up but with the choice of the method. Many Waukegan residents have invested in a technology very similar to the Taciuk process.....American Toxic Disposal. You can imagine our concern and disappointment that a technology was chosen not specifically designed for PCB removal when one is available and is specifically designed for that purpose.....especially one that has as its investors and backers, local Waukegan residents. And who is more important to Waukegan's future as a major port than local Waukegan residents and business people?

I'm happy that OMC has agreed to the clean-up. An improved image after all the bad publicity we've received should do wonders for activity in the harbor and for Waukegan's economy. With the new lake front plans and the proposed clean-up of PCB's, we should become a highly desirable Lake Michigan port. All this would be perfect had the clean-up been effected by a company invested in and supported by, Waukegan residents.

Sincerely,

Marilynn Eccles, co-owner
MADISON AVENUE RESTAURANT &
WAUKEGAN RESIDENT

**League of Women Voters
of Lake County, Illinois**

November 7, 1988

Ms. Susan Louisnathan
Mr. John Ferrecone
U. S. EPA Region 5
230 South Dearborn
Chicago, IL 60604

Re: Waukegan Harbor Cleanup

Dear Ms. Louisnathan and Mr. Ferrecone:

The League of Women Voters of Lake County would like to commend the USEPA and UMC for their diligence in pursuing the cleanup of Waukegan Harbor. We recognize that the negotiations were arduous and perseverance was required on the part of the EPA. We hope that cleanup will be started immediately and will proceed rapidly to accomplish the goals of protecting public health and preventing further deterioration of the environment.

However, we have some concerns about the public comment period. The League believes that public understanding and cooperation are essential to the responsible and responsive management of our nation's natural resources. While the meeting held by the EPA in Waukegan on Tuesday, October 18, 1988 was very informative, this was the first occasion on which this information was made available to the public. We feel it imperative that an additional meeting be held for comment. The report issued by the EPA is quite lengthy and the public has not had adequate time to study and evaluate its contents. We feel that a thirty day comment period from the initial informational meeting insufficient review time.

Another concern that we have is whether this proposal will accomplish adequate protection of human health and the environment. The EPA states that all sediments with more than fifty parts per million (ppm) PCB's will be treated or contained to safeguard public health. It is our understanding that the fifty ppm figure is an arbitrary number not based on ecological or human health factors. We urge the EPA to consider carefully the bioaccumulation effects of lower concentrations of PCB's. If there is any question about this proposal providing sufficient protection we want the EPA to pursue a more stringent cleanup proposal.

In summary, we are delighted that after ten long years of negotiations an agreement was reached. We want to see cleanup begun immediately but feel that public input at this stage is absolutely necessary and should not be omitted or ignored. We also want to be sure that after the "cleanup" the harbor will be CLEAN.

Sincerely,

Marjorie Sennholz

Marjorie Sennholz
President
League of Women Voters
of Lake County
2300 Hermon
Zion, IL 60099

Carolyn Sevcik

Carolyn Sevcik
Natural Resources Chair
League of Women Voters
of Lake County
120 Heron Road
Lake Forest, IL 60045

*J.P. called to tell them
we'd be happy to meet
& explain projected 11/9/88
she said O.K. but in Jan.
J.P. said O.K. but no
comments accepted
she said O.K. & no need to
explain*

League of Women Voters of Lake County, Illinois

November 7, 1988

Ms. Susan Louisnathan
Mr. John Ferrecone
U. S. EPA Region 5
230 South Dearborn
Chicago, IL 60604

Re: Waukegan Harbor Cleanup

Dear Ms. Louisnathan and Mr. Ferrecone:

The League of Women Voters of Lake County would like to commend the USEPA and DMC for their diligence in pursuing the cleanup of Waukegan Harbor. We recognize that the negotiations were arduous and perseverance was required on the part of the EPA. We hope that cleanup will be started immediately and will proceed rapidly to accomplish the goals of protecting public health and preventing further deterioration of the environment.

However, we have some concerns about the public comment period. The League believes that public understanding and cooperation are essential to the responsible and responsive management of our nation's natural resources. While the meeting held by the EPA in Waukegan on Tuesday, October 18, 1988 was very informative, this was the first occasion on which this information was made available to the public. We feel it imperative that an additional meeting be held for comment. The report issued by the EPA is quite lengthy and the public has not had adequate time to study and evaluate its contents. We feel that a thirty day comment period from the initial informational meeting insufficient review time.

Another concern that we have is whether this proposal will accomplish adequate protection of human health and the environment. The EPA states that all sediments with more than fifty parts per million (ppm) PCB's will be treated or contained to safeguard public health. It is our understanding that the fifty ppm figure is an arbitrary number not based on ecological or human health factors. We urge the EPA to consider carefully the bioaccumulation effects of lower concentrations of PCB's. If there is any question about this proposal providing sufficient protection we want the EPA to pursue a more stringent cleanup proposal.

In summary, we are delighted that after ten long years of negotiations an agreement was reached. We want to see cleanup begun immediately but feel that public input at this stage is absolutely necessary and should not be omitted or ignored. We also want to be sure that after the "cleanup" the harbor will be CLEAN.

Sincerely,

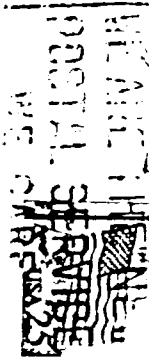
Margorie Sennholtz

Margorie Sennholtz
President
League of Women Voters
of Lake County
2000 Hermon
Evanston, IL 60009

Carolyn Sevcik

Carolyn Sevcik
Natural Resources Chair
League of Women Voters
of Lake County
120 Heron Road
Lake Forest, IL 60045

RON & CARI SEVCIK
120 HERON ROAD
LAKE FOREST, IL 60045



Mr. Susan Lovinathan
Remedial Project Manager
U. S. EPA Region 5
230 South Dearborn
Chicago, IL 60604

HS

LAKE
COUNTY
HEALTH
DEPARTMENT



November 15, 1988

Mr. John Perrecone 5-PA
Office of Public Affairs
USEPA, Region V
230 S. Dearborn
Chicago, IL 60604

Dear Mr. Perrecone:

Since 1977, the Division of Environmental Health of the Lake County Health Department has been concerned about and has sought to minimize polychlorinated biphenyls (PCB) and other pollution problems within Waukegan Harbor. It is the goal of the Lake County Health Department to work towards a contaminant free harbor; one that supports desired uses such as a safe water drinking supply, fishing, commercial shipping and recreational boating. The recent agreement between the United States Environmental Protection Agency (USEPA) and Outboard Marine Corporation (OMC) and the resulting proposed work plans appear to provide a solution to the PCB contamination.

Our comments relative to the available work plans are minimal as we are in support of the proposed remedial action for the harbor area and OMC site. Specifically our concerns are as follows:

Groundwater: Summarized within the work plans were results from a hydrogeologic study conducted 3.5 miles northwest of Waukegan Harbor. Groundwater within a Silurian dolomite aquifer had an upward hydraulic gradient through the Wedron formation. The assumption was made in the work plan that similar conditions exist at Waukegan Harbor. Although this is to be confirmed by installing piezometers at the site, there is no provision in the work plan to address groundwater quality of interglacial sand and gravel aquifers or the Silurian aquifer if results are different. If a downward hydraulic gradient is determined to exist, the aquifers mentioned previously should be analyzed for PCB and hydrocarbon contamination. Appropriate remedial action would need to be implemented if results warrant it.

Air Pollution: The Department agrees with and encourages air monitoring and dust control measures as outlined in the Health and Safety Plan. The details of the monitoring routine and schedule should be forwarded to the Health Department for our review.

11/16
Division of Environmental Health

3010 Grand Avenue
Waukegan, Illinois 60085
312/360-6740

Steven R. Patsia, M.D., M.P.H.
Executive Director

Mr. John Perrecone
November 15, 1988
Page 2

Waukegan Harbor Drinking Water System: The Design and Analysis Report should include a program to monitor the presence or absence of PCB's within the Waukegan drinking water system. Samples should be collected before, during and after cleanup as follows: 1) Raw water samples, 2) Finished water samples in the Waukegan Water Treatment Plant, and 3) Water samples from the distribution system. A plan should be developed to protect the water supply if the emergency intake of the water treatment plant has to be used during the clean-up. A variety of factors including seasonal influences, storm events, boating use and dredge operations should be evaluated for their effect on PCB resuspension and solubility within the water column which may potentially impact the quality of drinking water.

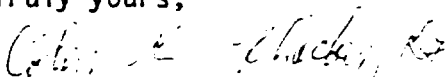
Fish Advisory and Consumption: Also, as you are aware, the Department currently discourages fishing within the confines of the harbor. While levels of PCB's within the sediment and fish tissue are expected to decline over time, it is important that monitoring continue. We would be interested in reviewing any information relative to such a program or existing monitoring programs within the harbor and vicinity.

Those aspects of the work plan addressing sampling and monitoring activities, engineering plans for containment cells, sediment transport methods and other work plan activities are to be explained in the Design and Analysis Report which was not available for review at this time. Therefore, the Department requests the opportunity to review and provide comments on this document when it becomes available.

The proposed remedial action for Waukegan is a large undertaking which will prove beneficial to the City of Waukegan as well as the entire Great Lakes community. The Lake County Health Department is often the area's link between the public and project information. We, therefore, believe that it is in the best interest of all that the Department be routinely informed of monitoring results and project updates to better serve the public. Moreover, because of the Department's public health and safety responsibilities to the county, we ask that the Department be included in the overall monitoring program.

We appreciate the opportunity to respond to the proposed remedy and consent decree and look forward to the start and completion of remedial actions within Waukegan Harbor.

Truly yours,



Colin K. Thacker, R.S., B.A., M.P.A.
Director

CKT:jm

cc: Steven R. Potsic

LAKE MICHIGAN INTER-LEAGUE GROUP LEAGUE OF WOMEN VOTERS

18345 Perth Avenue
Homewood, Illinois 60430
November 9, 1988

John Perrecone 5-PA
Office of Public Affairs
U. S. EPA, Region V
230 South Dearborn Street
Chicago, Illinois 60604

RE: WAUKEGAN HARBOR CLEANUP

Dear Mr. Perrecone:

The Lake Michigan Inter-League Group represents the 8000 members in the 85 local Leagues of Women Voters in the Lake Michigan watershed. For over 21 years we have shared common interests and concerns about the Lake and its drainage basin.

Accordingly, we have followed Lake Michigan matters closely and have testified upon numerous occasions about toxic pollution of the lake waters and deleterious uses of the lakeshore --- originally at Federal Water Pollution Control Administration conferences and hearings and subsequently at U. S. EPA hearings, meetings, and briefings (such as the one held for environmental organizations April 12, 1984). And in 1978 we cheered the U. S. EPA's suit against Outboard Marine Corporation.

The intervening 10 years have been very frustrating for the U. S. EPA (and for the Lake Michigan Inter-League Group!). We can appreciate that the delicate negotiations over the past two years with Outboard Marine may have dictated excluding the public up to this point. But now, surely, the public should have ample time to examine your report and comment on it.

The Waukegan Harbor Site is considered of sufficient importance by the International Joint Commission to have been designated one of its 41 "Areas of Concern". Likewise, you at the U. S. EPA have considered Waukegan Harbor of sufficient importance to spend 10 years on litigation and to generate a 600-page report (paid for, of course, by the taxpayers). Certainly this report merits wider distribution and request for public

comment than one public information meeting in one community could provide! Even a U. S. President has to have his carefully negotiated treaties deliberated by the Senate!

The Lake Michigan Inter-League Group of the League of Women Voters has always recognized informed public participation as one of its cardinal principles. For a plan to succeed we believe that citizen input must be an integral part of the planning process, and that the public should be kept fully informed of developing plans and proposals.

Individuals and citizens groups throughout the Lake Basin need access to the report, time to assimilate it and discuss it, and time to prepare thoughtful comments and questions -- not "off-the-top-of-the-head" comments at the end of a meeting. And isn't this what the U. S. EPA is required to do if it complies with Annex 2 of the Great Lakes Water Quality Agreement?

We request an extension of the November 14 deadline in order to permit a well-publicized distribution of the report in major public libraries in the lake basin other than Waukegan, e.g., Chicago, Park Forest (south suburban Chicago), and La Grange (west suburban Chicago) in Illinois; Milwaukee and Sheboygan in Wisconsin; Hammond and Michigan City in Indiana; and Benton Harbor and Muskegon in Michigan. The newspaper article should also include an announcement of a public hearing to be held in four to six weeks' time in Chicago, Milwaukee, Hammond, and Muskegon and a comment period ending two weeks later. This information should appear prominently in the major newspapers of the lake basin --- not among the legal notices. There may or may not be a good response from the public, but at least the U. S. EPA will have fulfilled its IJC obligation, and some of the public will recognize that you are really trying to protect its interests.

Listed below are some of the questions the Lake Michigan Inter-League Group would like to have answered (we could probably have found the answers for ourselves if we had had access to your 600-page report):

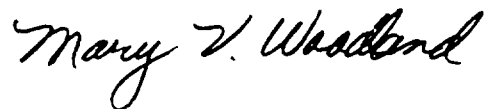
1. Has the continuity of the underlying clay till and its thickness been verified under the entire site?
2. How will the impermeable clay slurry wall be secured to the clay base to ensure no leakage? Your term "tied" is not informative. Has this method been used elsewhere? Have the results been well-monitored over a sufficiently significant period of time?
3. How much experience has there been with the use of the proposed

high density polyethylene liner -- from the point of view of ease of puncturing, the length of time the liner remains flexible (plastic sheeting is notorious for becoming brittle as it ages), and its inertness to chemical deterioration?

4. What is the design life of this project? What are the arrangements for maintaining the design life beyond the normal engineering expectancy? What happens if Outboard Marine Corporation decides to go out of business in 20 to 30 years?
5. What is the significance of relocating the sand dune (Figure 3 in your 8-page "Explanation of Significant Differences")? Figure 4, showing the completed remedial action, does not seem to indicate the same boundary for the sand dune.

Thank you for letting us share briefly with you some of our concerns.

Sincerely yours,

A handwritten signature in cursive script that reads "Mary V. Woodland".

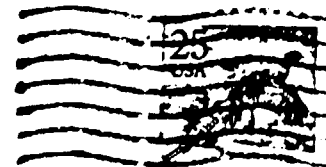
(Dr.) Mary V. Woodland, Co-Chair
Lake Michigan Inter-League Group
League of Women Voters

cc: Valdas V. Adamkus, Regional Administrator
Susan Louisnathan, Remedial Project Manager



League of Women Voters
LAKE MICHIGAN INTER-LEAGUE GROUP

Dr. Mary V. Woodland
18345 Perth Avenue
Homewood, Illinois 60430



HS

Susan Lewisrathan
Remedial Project Manager
U.S. EPA, Region 5
230 South Dearborn
Chicago, Ill. 60604

rccl
11/20/88

Nov. 25, 1988

John Perrecone 5PA
U.S.EPA, Office of Public Affairs
230 South Dearborn Street
Chicago, Il. 60644


In response to EXTENSION OF THE PUBLIC COMMENT PERIOD, OMC Waukegan Harbr Site, I have no comment as to your methods, however, it appears that no recent samplings were made to determine if the degree of volume of PCBs has changed, or the formula used to determine the need to qualify for superfunds or for OMC to be saddled with the entire costs for removal and storage of the PCBs under their parking lot as well as from the Waukegan Harbor.

Further, I challenged the superfund formula when a substantial amount of weight was allocated to the possibility that the Waukegan Water Company's intake of PCB contaminated water from the entrance channel of the harbor would go to the users mostly for drinking water. The Water Company stated it was used only in emergency and that this water was processed to remove any of the PCBs. USEPA would not accept this reasoning. A few years ago the Waukegan water Works removed the intake completely, and USEPA refused to change the rating, or formula, yet if other test found higher amounts of PCBs in the Harbor than used in the formula, they would change the resulting formula amount and its ratings. Since when has EPA resorted to a system of Double Standards ?? During the many years of litigation between OMC and EPA ?? Please send me a copy of your Policies, Regulations or other that provides when the formula would be changed by one or more of its factors being corrected as the result of a good faith or other action, that the resulting total would be lesser or higher, and this new total is to be used to determine the action to be taken.

Please send me a copy of the latest samples taken to determine the degree of pcbs in the sediment and deeper for all of the harbor and OMC parking lot and showing the demarcation line showing the amounts of PCBs permitted. Include the depth of samples taken both in water and ground.
Thanks for your considerations;


Tom Gockel

cc
Waukegan Mayors Office
Outboard Marine Corp.
Waukegan News Sun

 Tom & Chrys Gockel
25156 West Columbia Bay Drive
Lake Villa, IL 60046-9719

312-356-7016



Natural Resources
Defense Council

122 East 42nd Street
New York, New York 10168
212 949-0049

BY TELEPHONE FACSIMILE
AND FEDERAL EXPRESS

December 5, 1988

John Perrecone
U.S. Environmental Protection Agency, Region V
Federal Building
230 South Dearborn
Chicago, Illinois 60604

Attn: Cindy Nolan
Mail Code HS-11
886-0400

Re: United States v. Outboard Marine Corporation

Dear Mr. Perrecone:

I enclose NRDC's comments on the proposed cleanup of a Superfund site in Waukegan, Illinois pursuant to a proposed consent decree in the above-referenced action.

I appreciate the opportunity to provide you with these comments. In several ways, Region V has developed a reputation as an aggressive region with solid environmental programs.

As you will see, however, in this case NRDC believes that the proposed cleanup does not meet minimum legal requirements for a Superfund remedy. NRDC urges EPA to withdraw the proposed consent decree.

As we mention in the comments, NRDC requests a meeting with you or your colleagues to discuss NRDC's comments.

Incidentally, you will note that Exhibit A to our comments is a letter that refers to three attachments. I have not included the attachments because the documents are voluminous and I understand them already to be in your possession. The attachments are as follows:

Attachment A Canonic Environmental
 Summary Report, Taciuk Processor

Attachment B Treatment of Soils Containing PCBs
 Results of Test Runs

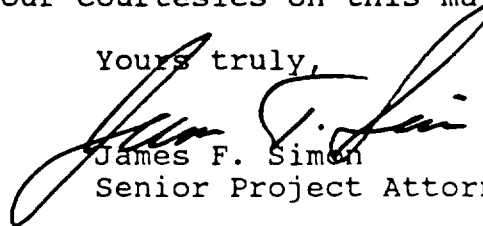
Jim Perrecone
December 5, 1988
Page 2

Attachment C Work Plan
 Treatment of Select Soils and Sediments
 Waukegan Harbor Site

I would be pleased to provide you with copies of these
attachments at your request.

Thank you for your courtesies on this matter.

Yours truly,



James F. Simon
Senior Project Attorney

JFS/kr

enclosure

cc: Steven Willey, Esq.
Department of Justice

Jeffrey Fort, Esq.
Attorney for OMC